

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

The grand jurors in and for the body of said county of Rockingham and now attending said Court at its February term, 1926, upon their oaths do present that Thomas Morris, within one year next prior to the finding of this indictment, in the said county of Rockingham, did unlawfully have in his possession a still, still cap, worm, tub, fermenter, and other appliances connected with and used in the operation of a still, without having the same registered as required by law, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of W. H. Fletcher, W. E. Thurber, and W. T. Rexrode, witnesses sworn in court and sent before the grand jury to give evidence.

Unlawful possession of still

Commonwealth

v) Indictment

Thomas Morris

February term, 1926

A True Bill:

Thos G Herring
Foreman

D. W. Earman
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

sworn in court and sent before the Grand Jury to give evi-
dence.
W. H. Fletcher, W. E. Thurber, and W. T. Rexrode, witnesses
This indictment is found on the testimony of

of the Commonwealth of Virginia,
registered as required by law, against the peace and dignity
used in the operation of a still, without paying the same
tax, fermenter, and other appliances connected with and
unlawfully have in his possession a still, still cap, worm,
this indictment, in the County of Rockingham, did
Thomas Morris, who plined in the next prior to the finding
of the Grand Jury, in and for the body of said
Court of Rockingham and no attending said Court at its
February term, 1926, upon its order do present that

Commonwealth of Virginia--City, County of *Roanoke* to-wit:

WHEREAS *H. G. Perrode, State Inspector* of the said *Roanoke* City or County
Here insert name of affiant or affiants

has this day made complaint and information on oath before me, *M. L. Lanham J. P.*
Name of Magistrate Title

of the said *Roanoke* that he verily believes for reasons hereinafter stated in the said *Roanoke* and State
City or County

(a) Ardent Spirits are being unlawfully manufactured, sold, kept, stored possessed, held, used,
and concealed in a certain *Dwelling house + out buildings*
Here describe the place, house, room or boat, as the case may be

by one *Tom Morris*
Give name; if name unknown, say "Whose name is to the informant unknown."

(b) A still, still cap, worm, tubs, fermenters and other appliances connected with such still and used,
and mash and other substances, capable of being used, in the manufacture of Ardent Spirits,
are unlawfully in the possession of, and unlawfully used by one *Tom Morris*
Give name; if name unknown say "Whose name is to the informant unknown."

in a certain *Dwelling house + out buildings*
Here describe place as in (a) above

(c) Ardent Spirits are being unlawfully kept, held, stored, concealed, used, sold, and unlawfully
transported in certain baggage or a certain vehicle, to-wit: a certain *.....*
Here describe vehicle, auto, wagon, carriage, buggy, boat, baggage or what not

by one *.....*
Here give name, or describe as in (a) above

And there being reasonable and probable cause for such belief, on account of the following facts
stated by the affiant and others, to-wit: that *upon information and
complaint of citizens that Tom Morris
has still and is engaged in manufacturing
Liquor*

This is to certify that I have this day issued a search warrant to search the said *Dwelling
house + out buildings*
Here say place, house, room, boat
auto or baggage, or as the case may be

for the said *Ardent spirits Still Mash +*
Here state what is to be searched for as, "Ardent Spirits," still, still cap, mash or what not.

Given under my hand this *14th* day of *Jan* 192*6*

M. L. Lanham J. P.
Title of Magistrate.

Handwritten notes on the left page, including a signature and various illegible text.

AFFIDAVIT FOR A WARRANT TO SEARCH FOR ARDENT SPIRITS, ETC.

Commonwealth of Virginia

vs.

Filed in the Clerk's Office of the _____
 Court of the _____ of _____ Va.
County or City Name

Court of the _____
 Virginia, this _____ day of _____ 192____

By _____ Clerk
 D. C.

Large block of handwritten text, likely the body of the affidavit, mostly illegible due to cursive and fading.

Handwritten text on the right page, including a signature and the name of the court.

10-11-17

Commonwealth of Virginia—City, County of _____

Commonwealth of Virginia--City, County of *Rockingham* to-wit:

To the Prohibition Inspectors, Sheriffs, Sergeants, and all Police Officers and Constables of the State of Virginia—Greeting:

WHEREAS *W. T. Peckode & Co pro Ins* of the said.....
City or County

has this day made complaint and information on oath before me,.....
Name of Magistrate Title

of the said..... that he verily believes, that in the saidand State:
City or County City or County

(a) That Ardent Spirits are being unlawfully manufactured, sold, kept, stored, possessed, held, used and concealed in a certain *Dwelling house & out buildings*
Here describe the place, house, room or boat, as the case may be

by one *Tom Morris*
Give name; if name unknown, say "Whose name is to the informant unknown."

(b) A still, still cap, worm, tubs, fermenters and other appliances connected with such still and used, and mash and other substances, capable of being used, in the manufacture of Ardent Spirits, are unlawfully in the possession of, and unlawfully used by one.....
Give name; if name unknown say "Whose name is to the informant unknown."

in a certain
Here describe place as in (a) above

(c) Ardent Spirits are being unlawfully kept, held, stored, concealed, used, sold, and unlawfully transported in certain *baggage or a certain vehicle*, to-wit: a certain
Here describe vehicle, auto, wagon, carriage, buggy, boat, baggage or what not

by one
Here give name, or describe as in (a) above

And there being reasonable cause for such belief:

THESE ARE, THEREFORE, IN THE NAME OF THE COMMONWEALTH OF VIRGINIA, to command you, with all necessary and proper speed and assistance, to search the house, place, baggage, boat, or vehicle herein designated, either in day or night, and seize such ardent spirits and their containers and other things apparently possessed or used in violation of law, and bring the same and the person or persons, in whose possession they are found, and also any person resisting, impeding, obstructing, or in any manner hindering or delaying you in the execution of this warrant, before me, or some other officer having jurisdiction of the case, to be disposed of and dealt with according to law; and make return of this warrant showing all acts and things done thereunder, with a particular statement and sufficient description of the things seized and the name of the person in whose possession found, if any, and if not found in the possession of any one, so state in your return, and post a true copy of this warrant and the return thereof, as required by law.

Given under my hand and seal this *14* day of *Jan* 192*4*.

W. L. Lankham (SEAL)
Justice of The Peace
Title of Magistrate.

DIRECTIONS

1.—If only Ardent Spirits and containers be seized, the Magistrate shall fix a time not less than 10 nor more than 30 days from the date of return, for the hearing of said return. If no claimant appear, the Ardent Spirits and articles are to be forfeited to Commonwealth. Any person claiming any of same must file a written claim stating particularly the character and extent of his interest therein, whereupon the Magistrate shall certify the warrant, written claim and articles claimed, to the Circuit or Corporation Court, as the case may be, for determination, and declare the unclaimed articles forfeited.

2.—If still, still cap, worm, tubs, heather, fermenters, or any appliance connected with a still and used, or mash or other substance capable of being used, in the manufacture of Ardent Spirits, be seized, the mash (after taking a sample) shall be destroyed, and the facts and articles seized reported to the Prohibition Director and Commonwealth's Attorney. (A copy of this warrant and proper return will be sufficient notice and report). Ardent Spirits and containers disposed of as in No. 1 above.

3.—If Ardent Spirits are being transported in an automobile, boat, wagon, buggy, or other vehicle, the Ardent Spirits and containers shall be preserved and the vehicle shall be delivered to the Sergeant of the City, the facts reported to the Prohibition Director and Commonwealth's Attorney and Ardent Spirits and containers disposed of as provided in No. 1 above (A copy of this warrant and proper return will be sufficient report).

4.—A copy of this warrant and the return thereon must be posted at the front door of the house, or on the door of the room, or on the premises at the place the Ardent Spirits may be found.

See Sections 21½, 22, 23, 23½, 57 and 57½, Acts of Assembly, 1918, Page 578.

WARRANT TO SEARCH FOR ARDENT SPIRITS, ETC.

Commonwealth of Virginia

vs. Tom Morris

Executed the within warrant this 16th day of Jan 1926, by searching the within stated Premises

and by seizing the following described Ardent Spirits and other things therein found (and raresting the above named person found in possession thereof) and by posting a true copy of this warrant and the return hereon on the

as front door of house, door of room or premises

Description of Ardent Spirits and other things seized

Finding 1 - 15 gal Copper Still, 1 room, 1 cap, 2 - 50 gal fermenters, about 1/2 mile from dwelling house

Given under my hand this 16th day of

Jan 1926, Chas. J. Resnor, State Inspector

The following named officers and persons assisted me in the execution of this warrant:

J. H. Fletcher, E. E. Thurber

Other than above stated the following are witnesses:

This matter set for hearing on the day of 1926

No claim of ownership or interest in any of the said things seized having been filed herein in compliance with the law, the same are hereby adjudged and declared confiscated and forfeited to the Commonwealth.

Given under my hand this day of 1926

Title of Magistrate

Written claim of ownership or interest having been filed to certain of the said things herein seized, this warrant, the said claim and the things in the claim particularly described, are hereby certified to the

Court of this for determination and the said things unclaimed are hereby adjudged and declared confiscated and forfeited to the Commonwealth.

Given under my hand this day of 1926

Title of Magistrate

NOTE—Unless warrant issued for Ardent Spirits being transported in vehicle, boat or baggage, it is to be returned to the jurisdiction from which issued. If issued for Ardent Spirits so transported, it can be executed in any part of the State, and returned to any justice in any county or city through which they were carried.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *W. H. Fletcher,*
W. E. Thurber, & W. J. Revsade

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10 o'clock, a. m., on the *15* day of *Feb.*, 19*26*, to testify and the truth to say in behalf of the Commonwealth before the Grand Jury *vs. Thomas Morris*

who stands charged with and indicted for a felony misdemeanor.

And this *they* shall not omit under the penalty of £100. And have then and there this Writ.

Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the *8* day of *Feb.*, 19*26*, and in the *17th* year of the Commonwealth.

J. F. Blackburn, Clerk.

Executed Feb. 10, 1826 by delivering a true Copy of the

within Summons to within named witnesses

In person.

C. W. Dove, S. P. C.

Done.

at, in the County of Albemarle

Thomas Thomas

Sherry fee 1.50

Feb. 15, 1826

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10 o'clock, a. m., on the..... day of..... 19....., to testify and the truth to say in behalf of the Commonwealth against.....
.....
.....

who stands charged with and indicted for a felony misdemeanor.

And this..... shall not omit under the penalty of £100. And have then and there this Writ.

Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the..... day of....., 19....., and in the 14.....th year of the Commonwealth.

.....; Clerk.

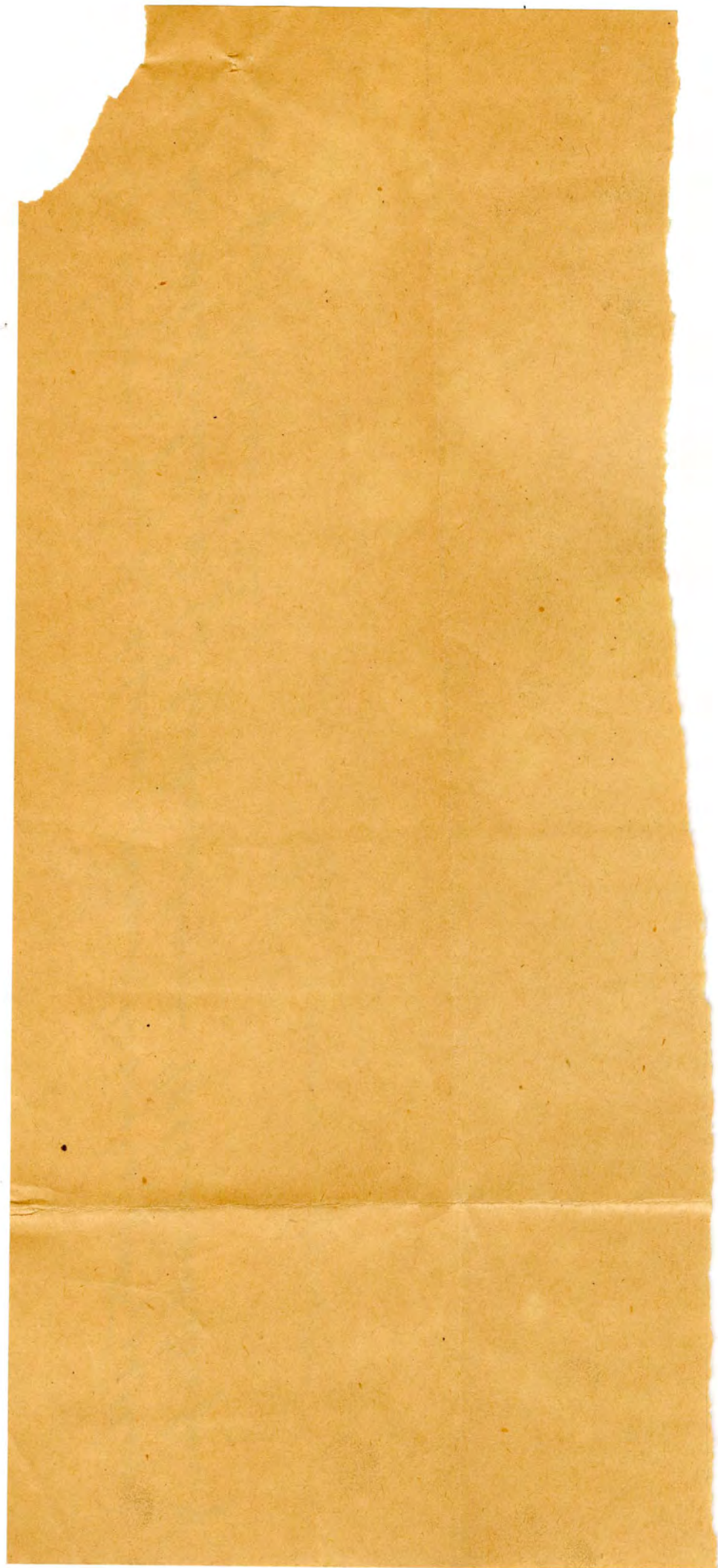
Moni.

E. R. Shank	2.60
W. L. Bunker	2.80
S. P. Bowman	2.50
L. C. Laramie	2.60
D. H. Alheim	2.20
J. H. Lister	3.10
J. W. Hasler	2.10

—
17.90

We the jury find the defendant, Thomas Morris, guilty as charged
in the indictment and for his punishment 90 lbs. in jail and a fine of
Seventy five Dollars (\$75⁰⁰)

S R Borman Foreman



Apr. #279 Term 1956

Misd.

THOMAS MORRIS

ADS.

Pro. ✓

COMMONWEALTH

Sheriff Costs

Arrest	1.50
Capture of Still	50.00
Demons	1.50
Imp. pay	1.50
	<hr/>
	54.50

78 $\frac{64}{39}$

Delet. 156 - $\frac{5.50}{5.80}$

Expense 1.00

Cont to Apr 97

16th of April

7. dec. #73



20-4446

7.60
2.00
2.25
1.60
7.50
5.00

3 months
2 1/2
19.80